IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12868 of 2005

Between:

Sama Ramana Reddy, S/o.Late Bal Reddy,
R/o.H.No.9-6-33, Durgabhavani Nagar, Champapet, L.B.Nagar Municipality,
Hyderabad.

..... PETITIONER

AND

1 The Commissioner of L.B.Nagar Municipality, RR.District.
2 Electoral Registration Officer, 212, Malakpet Assembly Constituency,
Dy.Municipal Commissioner, Circle No.2 MCH, Hyderabad.
3 The Commissioner, Municipal Corporation of Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate order or direction or writ more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not deleting the petitioner name from the voters list in serial No.157, Ward No.27, Champapet, L.B.Nagar Municipality, as illegal, arbitrary, null and void and consequently direct the respondents to delete the petitioner name from the Voters List in Serial No.157, Ward No.27, Champapet, L.B.Nagar Municipality, Hyderabad forthwith.

Counsel for the petitioner: Mr. G. VASUDEVA REDDY.

Counsel for the Respondent No. 1: Mr. POLISETTI RADHA KRISHNA.

Counsel for the Respondent Nos. 2 & 3: Mr. G. RAMA RAO

The Court, at the stage of admission, made the following:

Oral order:-

This writ petition is filed seeking a direction to the respondents to delete the name of the petitioner from the voters' list in Serial No. 157, Ward No.27, Champapet, L.B. Nagar Municipality.

The case of the petitioner is that since immemorial time the family of the petitioner was resident of Champapet in L.B. Nagar municipality and got enrolled his name, on attaining the age of 18 years, in the voters' list at serial No. 157, Ward No.27, Champapet, L.B. Nagar Municipality. The petitioner divided from the joint family and constructed a building bearing municipal No. 9-6-33 in survey No.537, Champapet that fall within the area of Ward No.28. The petitioner got voter identity card and ration card in his name showing his residence at H.No. 9-6-33 and submitted a reference application on 08-08-2002. In view of the change of residential address, the petitioner submitted an application prescribed in form No.7 on 21-09-2004 to delete his name from the voters' list. The respondents, in spite of representation, did not delete his name from the voters' list. Therefore, the petitioner has approached this court.

Learned standing counsel appearing for the 2nd and 3rd respondents, on instructions, submit that the respondents are willing to delete the name of the petitioner from the voters' list as per his application dated 21-09-2004.

In the circumstances, I deem it appropriate to dispose of the writ petition directing the respondents to delete the name of the petitioner from the voters' list at serial No. 157, Ward No. 27, Champapet, L.B. Nagar Municipality within a period of two weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

ELIPE DHARMA RAO, J

Dt. 13-07-2005

Pvks/*

To

1 The Commissioner of L.B.Nagar Municipality, RR.District.
2 The Electoral Registration Officer, 212, Malakpet Assembly Constituency, Deputy Municipal Commissioner, Circle No.2 MCH, Hyderabad.
3 The Commissioner, Municipal Corporation of Hyderabad.

4. 2 CDs.,